

## REMARKS/ARGUMENTS

Reconsideration and allowance are respectfully requested in view of the amendments and remarks made herein. Claims 16-26 are now pending. No new matter is added.

Of the currently pending claims, it appears that claims 16 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,852,590 to de la Huerga (“de la Huerga”) in view of U.S. Patent Application Publication No. 2003/0033032 A1 to Lind, et al. (“Lind”), and further in view of U.S. Patent No. 6,294,999 to Yarin, et al. (“Yarin”). Although Yarin is not cited in the actual rejection, it is relied upon on p. 10 of the Office Action, and so it is understood that the rejection is based on all three references. Applicant respectfully requests that the Examiner clarify whether the rejection relies upon three references or two. In any event, Applicant respectfully traverses the rejection.

### Independent Claim 16

Independent claim 16 recites a controller configured to determine a time for sending a second polling signal depending upon a content of first data and to control a transmitter to send the second polling signal at the determined time, the second polling signal requesting data associated with a change detected by a second sensor.

The Office Action correctly indicates that neither de la Huerga nor Lind teaches or suggests the recited controller, and instead relies on Yarin. The Office Action alleges that Yarin discloses, at columns 9-11, sending the second polling signal at a time depending upon the content of the first data. Although it is unclear to which portion of these three columns of Yarin the Office Action is referring, it is believed that the Office Action is likely referring to col. 11, lines 55-58. *However, this portion of Yarin discloses dosage regimen modification, not modification of a polling time by a transmitter of a data receiver station*, as claimed. Although a dosage regimen may arguably indicate various times for taking medication, the modification of a time for taking medication is not the same as the modification of a time for polling a sensor.

Applicant can find no other portion of Yarin that the Examiner likely would have found relevant. Nonetheless, should the Examiner have intended to refer to a portion within the cited

three-column expanse other than col. 11, lines 55-58, Applicant respectfully requests that the Examiner more clearly indicate that portion to clarify the record.

For the above reasons it is submitted that claim 16 is allowable over de la Huerga, Lind, and Yarin, either alone or in combination as proposed.

Independent Claim 18

New independent claim 18 recites a controller coupled to a transmitter and a receiver and configured to determine a second time depending upon a content of data received by the receiver and to control the transmitter to send a second polling signal at the second time. Thus, it is submitted that claim 18 is also allowable for at least similar reasons as claim 16.

Independent Claim 22

New independent claim 22 recites a controller coupled to a first transmitter and a first receiver and configured to determine a second time depending upon a content of first data received by the first receiver and to control the first transmitter to send a second polling signal at the second time. Thus, it is submitted that claim 22 is also allowable for at least similar reasons as claim 16.

Dependent Claims

The dependent claims are also allowable by virtue of depending from allowable independent claims, and further in view of the additional features recited therein.

Conclusion

All rejections having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and solicit prompt notification of the same. If the Examiner has any questions, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,  
BANNER & WITCOFF, LTD.

Dated: December 7, 2006

By: /Jordan N. Bodner/

Jordan N. Bodner  
Registration No. 42,338

Eleventh Floor  
1001 G Street, N.W.  
Washington, D.C. 20001-4597  
(202) 824-3000